

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

**DAVID STEBBINS**

**APPELLANT**

**V.**

**NO. 13-1262**

**HARP & ASSOCIATES, LLC aka**

**HARP & ASSOCIATES REAL ESTATE SERVICES      APPELLEE**

**APPELLEE'S MOTION TO EXTEND TIME FOR FILING  
RESPONSIVE BRIEF**

Pursuant to Federal Rule of Appellate Procedure 26(b), Appellee Harp & Associates, LLC respectfully moves for a thirty (30) day extension of time, to and including May 01, 2013, in which to file its responsive brief. In support of its motion, Appellee states as follows:

1. Appellant filed his brief on March 1, 2013. According to the Appeal Briefing Schedule Order entered February 5, 2013, Appellee's brief is currently due thirty (30) days later, on April 1, 2013. Appellee has not previously requested any extension of time to file its brief.

2. Good cause exists for the requested extension. Counsel for Appellee has significant other professional commitments during the next 30 days, including (among others) a four-day jury trial in the Circuit Court of Lonoke County, Arkansas, and two previously scheduled continuing legal education seminars on

bankruptcy law, one of which features counsel for Appellee as the primary presenter.

3. Counsel for Appellee has exercised diligence to provide the District Court timely and professional briefing. A thirty (30) day extension for Appellee's brief would enable counsel to do the same in this Court, while at the same time fulfilling his obligations to other courts and other matters.

4. No significant delay of this matter, which has been pending since July 2011, will result from such an extension. With the requested extension, briefing of this matter would still be completed within three (3) months of the filing of the Notice of Appeal on February 1, 2013.

WHEREFORE, Appellee Harp & Associates, LLC respectfully requests that this motion be granted and that it be allowed until and including May 01, 2013 in which to file its responsive brief.

Submitted by:

WRIGHT, LINDSEY & JENNINGS LLP  
200 West Capitol Avenue, Suite 2300  
Little Rock, Arkansas 72201-3699  
(501) 371-0808  
[elowther@wlj.com](mailto:elowther@wlj.com); [sjewell@wlj.com](mailto:sjewell@wlj.com)

By: /s/ Seth R. Jewell  
Edwin L. Lowther, Jr. (81107)  
Seth R. Jewell (2011175)  
*Attorneys for Appellee*

## **CERTIFICATE OF SERVICE**

### **Certificate of Service When Not All Case Participants Are CM/ECF Participants**

I hereby certify that on March 6, 2013, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I further certify that some of the participants in the case are not CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third-party commercial carrier for delivery within 3 calendar days, to the following non-CM/ECF participants:

David Stebbins  
123 W. Ridge Street, Apt. D  
Harrison, AR 72601

/s/ Seth R. Jewell